

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MADALYN M. SOULLIERE,

Plaintiff

Civ. No. 06-15515

vs.

DISTRICT JUDGE ARTHUR J. TARNOW  
MAGISTRATE JUDGE STEVEN D. PEPE

THE FORT STREET PRESBYTERIAN CHURCH,

Defendant.

---

**ORDER DENYING PLAINTIFF'S MOTION TO COMPEL DISCOVERY**

On August 14, 2007, Plaintiff filed a motion to compel discovery (Dkt. #12). On August 15, 2007, the motion was referred for hearing and determination pursuant to 28 U.S.C. §§ 636(b)(1)(B) (Dkt. #13). Defendant filed a brief in opposition to Plaintiff's motion to compel discovery on August 24, 2007 (Dkt. #14). It is determined under L.R. 7.1(e)(2) that no hearing on this motion. For the following reasons, Plaintiff's motion to compel discovery is DENIED.

Plaintiff requests that this Court compel discovery for enumerated items. Plaintiff has not, however, served Defendant with any discovery requests under Federal Rules of Civil Procedure 33 or 34 nor communicated, *in any manner*, a request that Defendant produce the listed items. Prior to a court compelling discovery, there must be a showing by certification that the movant has made an effort in good faith to secure the information or material without court action. Fed R Civ P 37 (a)(2)(B). Because Plaintiff did not serve discovery requests on nor communicate with Defendant as to her discovery requests, this Court cannot compel a response.

While there is a recognition that the Plaintiff is a *pro se* litigant and therefore might not know exactly how to proceed at each step of litigation, it is incumbent upon her to follow the procedural rules and to seek clarification from the clerk's office when necessary. All litigants, even those who proceed *pro se*, must avail themselves of the rules of procedure and if unclear of a particular requirement may clarify with the clerk's office. *In re G.A.D., Inc.*, 340 F.3d 331, 335 (6th Cir November 8, 2003). Accordingly, there is no basis to grant Plaintiff's motion to compel and is **DENIED**.

The parties to this action may object to and seek review of this Order, but are required to file any objections within ten (10) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b) and LR 72.1(d).

**SO ORDERED.**

Date: September 14, 2007  
Ann Arbor, Michigan

s/Steven D. Pepe  
United States Magistrate Judge

#### CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2007, I electronically filed the foregoing paper with the Clerk Court using the ECF system which will send electronic notification to the following: Dawn E. Marshall, Megan P. Norris, and I hereby certify that I have mailed United States Postal Service the paper to the following non-ECF participants: Madalyn M. Soulliere, P.O. Box 3476, Eastpointe, MI 48021.

s/ James P. Peltier  
James P. Peltier  
Courtroom Deputy Clerk  
U.S. District Court  
600 Church St.

Flint, MI 48502  
810-341-7850  
pete\_peltier@mied.uscourts.gov